

Cinergy Communications Company

1419 West Lloyd Expressway
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(800) 599-1000

RATES, RULES and REGULATIONS for FURNISHING
INTRASTATE INTEREXCHANGE TELECOMMUNICATIONS SERVICES

Filed with the
PUBLIC SERVICE COMMISSION OF KENTUCKY

This tariff contains the regulations and rates applicable to the furnishing of intrastate interexchange services by Cinergy Communications Company within the State of Kentucky.

Issued: September 29, 2004

Issued By:

John Cinelli, President
Cinergy Communications Company
1419 West Lloyd Expressway
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By



Executive Director

CHECK SHEET

The Title Page and Pages 1 to 40, inclusive, of this tariff are effective as of the date shown. Original and revised pages, as named below, contain all changes from the original tariff that are in effect on the date thereon except as otherwise noted.

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TARIFF FORMAT

Page Numbering - Page numbers appear in the upper right hand corner of the page. Pages are numbered sequentially. From time to time new pages may be added to the tariff. When a new page is added between existing pages a decimal is added to the preceding page number. For example, a new page added between Pages 3 and 4 would be numbered 3.1.

Sheet Revision Numbers - Revision numbers also appear in the upper right corner of each sheet. These numbers are used to determine the most current sheet version on file with Public Service Commission of Kentucky. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14

Explanation of Symbols - When changes are made in any tariff sheet, a revised sheet will be issued canceling the tariff sheet affected. Changes will be identified on the revised page(s) through the use of the following symbols:

- (C) - To signify changed regulation.
- (D) - To signify discontinued rate or regulation.
- (I) - To signify increased rates.
- (M) - To signify material relocated from one page to another without change.
- (N) - To signify new rate, regulation, or text.
- (R) - To signify reduced rate.
- (T) - To signify a change in text, but no change in rate or regulation.

Check Sheets - When a tariff filing is made with the Public Service Commission of Kentucky, an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new sheets are added, the Check Sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on this sheet if these are the only changes made to it (i.e., the format, etc. remain the same, just revised revision levels on some sheets.)

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SECTION 1 - TERMS AND ABBREVIATIONS

Access Line - An arrangement which connects the Customer's telephone to a Company designated switching center or point of presence.

Aggregator - Any person or entity, excluding local exchange carriers and cellular service providers, that, in the ordinary course of its operations, makes telephones available to the public or to transient users of its premises, for intrastate telephone calls using a provider of operator services.

Authorized User - A person, firm, corporation, or any other entity authorized by the Customer to utilize the Carrier's service.

Available Usage Balance - The amount of usage remaining on a Debit Account at any particular point in time. Each Debit Account has an Initial Account Balance which is stated either in U.S. dollars or Call Units, depending upon the type of service. The Available Balance is depleted as services provided by the Company are utilized by the Customer.

CTC - Refers to Cinergy Communications Company, unless otherwise stated.

Customer or End User - The person, firm, corporation or other entity which orders, cancels, amends or uses service and is responsible for payment of charges and compliance with the Company's tariff.

Company or Carrier - Cinergy Communications Company, unless otherwise clearly indicated by the context.

Debit Account - An account that consists of a pre-paid usage balance depleted on a real-time basis during each Debit Service call.

Debit Card - A card issued by the Company which provides the Customer with a Personal Account code and instructions for accessing the Carrier's network.

Debit Service Call - A service accessed via a "1-800" or other access code dialing sequence whereby network usage for each call is deducted from the available usage balance on a Company issued Debit Account.

Equal Access - Where the local exchange company central office provides interconnection to interexchange carriers with Feature Group D circuits. In such end offices, customers pre-subscribe their telephone line(s) to their preferred interLATA carrier.

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SECTION 1 - TERMS AND ABBREVIATIONS, CONT.

Initial Usage Balance - The amount of usage on a Debit Account upon issuance and before any depleting call activity.

LEC - Local Exchange Company.

Marks - A collective term to mean such items as trademarks, service marks, trade names and logos; copyrighted words, artwork, designs, pictures or images; or any other device or merchandise to which legal rights or ownership are held or reserved by an entity.

Personal Account Code- A numeric or alpha-numeric sequence unique to each Travel Card or Debit Card.

P.S.C. KY – the Public Service Commission of Kentucky.

Renewal - A method of replenishing a Debit Account's Available Usage Balance with additional minutes of usage as authorized and paid for by the Customer.

Sponsor - A corporation or other legal entity that exclusively permits the use of its Marks to the company for use with telephone cards or other merchandise, and contracts with the company for the marketing of the services described herein/

Special Access Origination/Termination - Where access between the customer and the inter-exchange carrier is provided on dedicated circuits. The cost of these dedicated circuits is billed by the access provider directly to the end user.

Switched Access Origination/Termination - Where access between the customer and the inter-exchange carrier is provided on local exchange company Feature Group circuits and the connection to the customer is a LEC-provided business or residential access line. The cost of switched Feature Group access is billed to the inter-exchange carrier.

V & H Coordinates - Geographic points which define the originating and terminating points of a call in mathematical terms so that the airline mileage of the call may be determined. Call mileage is used for the purposed of rating calls.

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SECTION 2 - RULES AND REGULATIONS

2.1 Undertaking of the Company

The Company services and facilities are furnished for communications originating at specified points within the state of Kentucky under the terms of this Tariff.

The Company installs, operates and maintains the communication services provided hereunder in accordance with the terms and conditions set forth under this tariff. The Company may act as the subscriber's agent for ordering access connection facilities provided by other carriers or entities, when authorized by the subscriber, to allow connection of a subscriber's location to the Company's point of presence.

The Company's services are provided on a monthly basis, unless ordered on a longer term basis, and are available twenty-four hours per day.

2.2 Service Limitations and Conditions

- 2.2.1** Pre-subscribed service is offered in Equal Access areas only. Travel service is available from all areas.
- 2.2.2** Service is offered subject to the availability of the necessary facilities, equipment, or both facilities and equipment, and subject to the provisions of this tariff.
- 2.2.3** The Company reserves the right to discontinue or limit service when necessitated by the lack of transmission medium capacity, or due to any conditions beyond its control, or when the Customer is using service(s) in violation of provisions of this tariff, or in violation of the law.
- 2.2.4** The Company does not undertake to transmit messages, but offers the use of its facilities when available, and will not be liable for errors in transmission or for failure to establish connections.
- 2.2.5** The Company reserves the right to discontinue the offering of service, deny an application for service or to impose requirements on Customers if a change in laws, regulatory rules or business conditions negatively impacts the financial viability of the service in the best business judgment of the Company.

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SECTION 2 - RULES AND REGULATIONS, CONT.

2.3 Assignments and Transfers

- 2.3.1** All services and facilities provided under this tariff are directly or indirectly controlled by the Company and the Customer may not transfer or assign the use of services or facilities without the express written consent of the Company.
- 2.3.2** Prior written permission from the Company is required before any assignment or transfer.
- 2.3.3** Assignments or transfers shall only apply where there is no interruption of the use or location of the services or facilities.
- 2.3.4** All regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions of service.

2.4 Use

- 2.4.1** Services provided under this tariff may be used only for transmission of communications by Customers in a manner consistent with the terms of this tariff and regulations of the FCC and all state and local authorities having jurisdiction over the services.
- 2.4.2** Services provided under this tariff shall not be used for unlawful purposes.
- 2.4.3** The use of the Company's services by fraudulent means or devices, schemes, false or invalid numbers of false calling or credit cards is prohibited.

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SECTION 2 - RULES AND REGULATIONS, CONT.**2.5 Liabilities of Company**

- 2.5.1** Unless otherwise stated in this section, the Company shall have no liability for damages of any kind arising out of or related to events, acts, rights, or privileges contemplated in this tariff.
- 2.5.2** The liability of the Company, if any, for damages resulting in whole or in part from or arising in connection with the furnishing of service under this tariff, including but not limited to mistakes, omissions, interruptions, delays, errors, or other defects in transmission, or failures or defects in facilities furnished by the Company in the course of furnishing service or arising out of any failure to furnish service shall in no event exceed an amount of money equivalent to the proportionate charge to the Customer for the period of service during which such mistakes, omissions, interruptions, delays or errors or defects in transmission occur and continue. However any such mistakes, omissions, interruptions, delays, errors, or defects in transmission or service that are caused by or contributed to by the negligence or willful act of the Customer, or which arise from the use of Customer-provided equipment shall not result in the imposition of any liability whatsoever upon the Company.
- 2.5.3** The Company shall not be liable for any failure of performance hereunder due to causes beyond its control, including but not limited to Acts of God, fires, flood or other catastrophes; atmospheric conditions or other phenomena of nature, such as radiation; any law, order, regulation, directive, action or request of the United States Government, or any other government, including state and local governments having jurisdiction over the Company or the services provided hereunder; national emergencies; civil disorder, insurrections, riots, wars, strikes, lockouts, work stoppages, or other labor problems or regulations established or actions taken by any court or government agency having jurisdiction over the Company or the acts of any party not directly under the control of the Company.

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SECTION 2 - RULES AND REGULATIONS, CONT.

2.5 Liabilities of Company, cont.

- 2.5.4** The Company is not liable for any act, omission or negligence of any local exchange carrier or other provider whose facilities are used concurrently in furnishing any portion of the services received by Customer, or for the unavailability of or any delays in the furnishing of any services or facilities that are provided by any local exchange carrier. Should the Company employ the service of any other common carrier in furnishing the service provided to Customer, the Company's liability shall be limited according to the provisions stated above.
- 2.5.5** The Company shall not be liable for and shall be fully indemnified and held harmless by the Customer against any claim or loss, liability, expense, or damage (including indirect, special or consequential damage), and reasonable attorney's fees, due to claims for defamation, libel, slander, invasion, infringement of copy-right or patent, unauthorized use of any trademark, tradename, or service mark, unfair competition, interference with or misappropriation or violation of any contract, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data, information, or other content revealed to, transmitted, or used by the Company under this tariff; or for any act or omission of the Customer; or for any personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition, operation, failure, presence, use or removal of equipment or wiring provided by the Company, if not directly caused by negligence of the Company.
- 2.5.6** The Company shall not be liable for any defacement of or damages to the premises of a Customer or Subscriber resulting from the furnishing of service which is not the direct result of the Company's negligence.
- 2.5.7** The Company shall not be liable for any claim, loss, or refund as a result of loss or theft of debit cards or personal account codes issued for use with the Company's services.

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SECTION 2 – RULES AND REGULATIONS, CONT.**2.5 Liabilities of Company, cont.**

- 2.5.8** The Company shall not be liable for any claim, loss or refund on any unused portion of the usage balance remaining in a debit account provided to a Customer before or after the expiration date assigned to each debit account.
- 2.5.9** The Company makes no warranty, whether express, implied or statutory, including without limitation warranties of description, quality, merchantability, completeness or fitness for a particular purpose, or as to any other matter, all of which warranties by the Company are hereby excluded and disclaimed.

2.6 Deposits and Advance Payments

The Company does not require deposits or advance payments.

2.7 Taxes, Surcharges, and Utility Fees**2.7.1 Taxes**

The Subscriber is responsible for payment of any sales, use, gross receipts, excise, access or other local, state and federal taxes, charges, surcharges or reimbursement of said taxes, charges or surcharges (however designated) imposed on or based upon the provision, sale or use of the Company network services. All applicable taxes shall be added pro rata, insofar as practical, and shall be listed as separate line items in Subscriber's billing invoices and are not included in the quoted rates herein. Company shall, so long as any such tax or fee is in effect, add to the bills of the customers in such political entity pro rata insofar as possible on the basis of the revenue derived by Company from each such customer, an amount sufficient to recover any such tax or fee and may list this amount separately the bill.

2.7.2 Regulatory Charges

The Subscriber is responsible for any and all mandated, authorized, and/or allowed charges related to or arising out of Company's obligations to comply with regulatory directives of federal and state commissions with jurisdiction over telecommunications. In addition to such fees, Company will include a separate regulatory compliance charge to cover the administrative burden and overhead for such charges that may not be recovered as part of the separately itemized charge to the extent not prohibited by law. All regulatory charges will be listed as separate line items on Customer's bill and are not included in the quoted rates herein.

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SECTION 2 - RULES AND REGULATIONS, CONT.

2.8 Payment for Service

In addition to the terms for payment of service as set out below, the terms of payment shall be according to the rules and regulations of the billing agent and subject to the rules of the applicable regulatory agencies, including the P.S.C. KY.

- 2.8.1** The Customer is responsible for payment of all charges for services and equipment furnished to the Customer or to an Authorized User of the Customer for transmission of calls via the Company. This includes payment for calls or services originated at the Customer's number(s); placed using a debit card as a form of payment regardless of the purchaser of the card or the originating location of the call; accepted at the Customer's number(s); billed to the Customer's number(s) via Third Number Billing if the Customer is found to be responsible for such call or service; the use of a calling card; the use of a Company assigned special billing number; or incurred at the specific request of the Customer. The Customer agrees to pay to the Company any cost(s) incurred as a result of any delegation of authority resulting in the use of his, her or its communications equipment and/or network services which result in the placement of calls via the Company. The Customer agrees to pay the Company or its authorized agent any and all costs incurred as a result of the use of facilities and services originated or charges accepted at the Customer's service point, including calls in which the Customer did individually authorize and calls which the Customer did not individually authorize.
- 2.8.2** Charges for installations, service connections, moves, and rearrangements, where applicable, are payable upon demand by the Company or its authorized agent. The billing thereafter will include recurring charges and actual usage as defined in this tariff.
- 2.8.3** Payments for service provided in association with Company-issued debit accounts must be received by the Company or its authorized agent prior to the activation of the Customer's debit account. The Customer shall be responsible for all calls placed via the debit account as the result of the Customer's intentional or negligent disclosure of their personal account code.

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SECTION 2 - RULES AND REGULATIONS, CONT.**2.8 Payment for Service, cont.**

- 2.8.4** The Customer shall remit payment of all charges to the Company or any agency authorized by the Company to receive such payment. Any disputed amounts or claims against an invoice must be made in writing to the Company or agency authorized by the Company to receive payment on such invoice within thirty (30) days from the date of invoice. Undisputed amounts may not be withheld. Adjustments to Customers' bills shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate. In the event the Customer is over-billed, an adjustment will be made to the Customer's account and the Customer will be deemed to not owe the over-billed amount. If the Customer is under-billed, the Customer is allowed to either pay in lump sum or in installments.
- 2.8.5** All applicable taxes will be billed to the Customer unless the Customer can demonstrate to the Company's satisfaction that the Customer is collecting the applicable taxes from its customers.
- 2.8.6** All bills are due and payable by the Customer upon receipt. If the bill is not paid within twenty-one (21) calendar days following the date of the bill, the account will be considered delinquent. Interest at the lesser of (1) the rate of one and one-half (1.5%) per month, or (2) the highest rate allowed by law per month shall accrue upon any unpaid amount (excluding prior penalty amounts) commencing twenty-one (21) days after the date of the bill for the amount first sent.
- 2.8.7** Failure to receive a bill will not exempt a Customer from prompt payment of any sums due the Company.
- 2.8.8** If a Customer has accumulated undisputed delinquent charges, the company reserves the right not to honor that Customer's request for a change in service, including a request for RESPOG (800 Responsible Organization) change, until such disputed charges are paid in full.

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SECTION 2 - RULES AND REGULATIONS, CONT.**2.8 Payment for Service, cont.**

- 2.8.9** If the Company receives a check from a Customer in payment for service rendered or for any other reason of indebtedness and which is returned from the bank due to insufficient or uncollected funds, closed account, apparent tampering, missing signature or endorsement, or for any other reason, the Company shall apply a service charge of \$20.00. If the check is returned, the Company and its agents are authorized to electronically collect this item, which includes the original amount of the check, this check return fee, and all other collection costs.
- 2.8.10** Any person or entity that uses, appropriates or secures the use of service from the Company, whether directly or indirectly, in any unlawful manner or inconsistent with the stated uses, intents, and purposes of this tariff or any restrictions, conditions, or limitations stated herein, shall be liable for an amount equal to the accrued and unpaid charges that would have been applicable to the use of the Company's service actually made by Customer.
- 2.8.11** In the event the Company incurs fees or expenses, including attorney's fees, accounting fees, collecting fees, or any other charges owned to the Company in regard to the Customer's service, the Company may charge the Customer all such fees and expenses reasonably incurred, including a late fee on the unpaid charges. Customer is also responsible for the recovery cost of Company provided equipment and any expenses required for repair or replacement of damaged equipment.
- 2.8.12** When local exchange telephone companies, credit card companies or others perform billing functions on behalf of the Company, the payment conditions and regulations of such companies apply, including any applicable interest and/or late payment charges. In case of any disputed charges that cannot be resolved by the billing company, the billed party may contact the Company directly. If there is still a disagreement about the disputed amount after investigation and review by the Company or other service provider, the billed party has the option to pursue the matter with the appropriate Commission and/or the FCC.

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SECTION 2 - RULES AND REGULATIONS, CONT.

2.9 Interconnection with other Carriers

- 2.9.1** The Company reserves the right to interconnect its services with those of any other common carrier, local exchange carrier, or alternate access provider of its election, and to utilize such services for the provision of services offered herein. Such service or facilities, if used, are provided under the terms, rates and conditions of the other carrier.
- 2.9.2** The Customer is responsible for all charges billed by other carriers for use in connection with the Company's service.
- 2.9.3** Any special interface equipment or facilities necessary to achieve compatibility between carriers is the responsibility of the Customer.

2.10 Terminal Equipment

- 2.10.1** The Company's facilities and service may be used with or terminated in Customer-provided equipment, such as a PBX, key system or single line telephone. Such terminal equipment shall be furnished and maintained at the expense of the Customer, except as otherwise provided. The Customer is responsible for all costs at his, her or its premises, including personnel, wiring, electrical power, and the like, incurred in the use of the Company's service. When such terminal equipment is used, the equipment shall comply with the generally accepted minimum protective criteria standards of the telecommunications industry as endorsed by the Federal Communications Commission.
- 2.9.2** The Customer is responsible for arranging ingress to its premises at times mutually agreeable to it and the Company when required for the Company's personnel to install, repair, maintain, program, inspect, or remove equipment associated with the provision of the Company's service(s).

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SECTION 2 - RULES AND REGULATIONS, CONT.

2.10 Terminal Equipment, cont.

2.10.3 The Customer must pay the Company for replacement or repair of damage to the equipment or facilities of the Company caused by negligence or willful act of the Customer, its Authorized Users, or others, or by improper use of equipment provided by the Customer, its Authorized Users, or others.

2.10.4 The Customer must pay for the loss through theft, fire, flood, cable cuts or other catastrophes to any of the Company's equipment installed at the Customer's premises.

2.11 Installation

Service is installed upon mutual agreement between the Customer and the Company. The service agreement does not alter rates specified in this tariff.

2.12 Cancellation by Customer

Service may be cancelled by the Company promptly upon receipt of a cancellation request from the Customer. This request does not need to be in any particular form. Upon cancellation a final bill will be prepared. Customers will be informed to use access codes from other carriers in order to avoid additional charges by the Company until a primary inter-exchange carrier order is processed by the local exchange company.

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SECTION 2 - RULES AND REGULATIONS, CONT.

2.13 Refusal or Discontinuance of Service by the Company

The Company expressly retains the right to refuse or discontinue service without incurring any liability for any of the following reasons, provided that, unless otherwise stated, the Customer shall be given 15 days notice to comply with any rule or remedy any deficiency:

- 2.13.1 For nonpayment of any sum due the Company, provided that suspension or termination of service shall not be made without ten (10) days written notice, except in extreme cases. Notice shall be deemed to be effective upon mailing of written notice, postage prepaid, to the Customer's last known address.
- 2.13.2 For non-compliance with or violation of any State, municipal, or Federal law, ordinance or regulation pertaining to telephone service.
- 2.13.3 For use of telephone service for any property or purpose other than that described in the application.
- 2.13.4 For neglect or refusal to provide reasonable access to the Company or its agents for the purpose of inspection and maintenance of equipment owned by the Company or its agents.
- 2.10.5 For noncompliance with or violation of Commission regulation or Company rules or regulation on file with the Commission, provided ten (10) days' written notice is given before termination.
- 2.10.6 Without notice, for Customer's or Authorized User's use of equipment in such a manner as to adversely affect the Company's equipment or service to others.

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SECTION 2 - RULES AND REGULATIONS, CONT.

2.10 Refusal or Discontinuance of Service by the Company, cont.

- 2.10.7** Without notice, in the event anyone tampers with any of the Company's equipment or services installed at or provided to Customer's premises.
- 2.10.8** Without notice, in the event of any unauthorized or fraudulent use of service. Whenever service is discontinued for fraudulent use of service, the Company may, before restoring service, require the Customer to make, at his or her own expense, all changes in facilities or equipment necessary to eliminate future illegal use and to pay an amount reasonably estimated as the loss in revenues resulting from such fraudulent use.
- 2.10.9** Without notice, in the event any order or decision of a court or other government authority having jurisdiction which prohibits the Company or Carrier from furnishing such services.
- 2.10.10** For periods of inactivity over sixty (60) days.
- 2.10.11** Service may be denied for failure to pay a previously owed bill by the same Customer at another location. After service is established, service may be discontinued upon ten (10) days' notice if it is determined that the Customer previously failed to pay a bill for another location.
- 2.10.12** Service may be denied for failure to post a required deposit or advance payment.
- 2.10.13** For failure of the Customer to make proper application of service.
- 2.10.14** For Customer's breach of the contract for service between the Company and the Aggregator.

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By



Executive Director

SECTION 2 - RULES AND REGULATIONS, CONT.

2.14 Customer's Liability in the Event of Refusal or Discontinuance of Service

In the event the Company disconnects a Customer's service for any of the reasons stated in Section 2.13, the Customer shall be liable for all unpaid charges due and owing to the Company associated with the service.

2.15 Reinstitution of Service

The Company will reconnect service upon Customer's request as soon as the reason for the Customer's termination is removed. If the Customer seeks reinstitution of Service following refusal or discontinuance of service by the Company, the Customer shall pay to the Company prior to the time service is re-instituted, all accrued and unpaid charges and a new connection fee.

2.16 Inspection, Testing and Adjustment

2.16.1 Upon reasonable notice, the services provided by the Company shall be made available to the Company for inspection, tests, and adjustments as may be deemed necessary by the Company for maintenance.

2.16.2 No interruption allowance will be granted for the time during which such inspection, tests, and adjustments are made when the interruption is less than twenty-four (24) consecutive hours.

2.17 Tests, Pilots, Promotional Campaigns and Contests

2.17.1 The Company, with proper notice to the Commission, may conduct special tests, pilot programs, promotional campaigns and contest to demonstrate the ease of use, quality of service, and to promote the sale of Company services.

2.17.2 The Company may also waive a portion or all processing fees or installation fees for winners of contests and other occasional promotional events sponsored or endorsed by the Company.

2.17.3 From time to time, the Company may waive all processing fees for a Customer.

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SECTION 2 - RULES AND REGULATIONS, CONT.

2.18 Reservation of "800" Numbers

2.18.1 The Company will make every effort to reserve "800" vanity numbers for Customers, but makes no guarantee or warranty that the requested number(s) will be available.

2.18.2 If a Customer accumulates undisputed delinquent charges, the Company reserves the right not to honor that Customer's request for a change in service, including a request for Responsible Organization (Resp. Org.) change, until such disputed charges are paid in full.

2.19 Bill Format

The Company's monthly bill to each customer consists of a billing summary of current charges, previous balance due and payments received and call detail pages. The bill includes the Company's name, address and toll-free telephone number.

2.20 Responsibilities of Aggregators

2.20.1 The Company will ensure that tent cards and /or stickers are placed near or on the telephone equipment used to access service. Rate information will be made available to Authorized Users by means of a toll free 800 number that will be displayed on the tent cards and /or stickers.

2.20.2 Aggregators must ensure that each of its telephones pre-subscribed to the Company allows the Authorized User to use "800", "950" and "10XXX" access code numbers to obtain access to the provider of operator services desired by the Authorized User.

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SECTION 2 - RULES AND REGULATIONS, CONT.

2.20 Responsibilities of Aggregators, cont.

- 2.20.3** The Company shall withhold payment (on a location-by-location basis) of any compensation, including commissions, to Aggregators if the Company reasonably believes that the Aggregator (i) is blocking access by means of "950", "800" or "10XXX" numbers to intrastate common carriers in violation of any state or federal law or regulation; or (ii) is blocking access to equal access codes in violation of rules the Federal Communication Commission and/or the Commission may prescribe.
- 2.20.4** Neither the Company nor its Aggregators shall deviate from the rates as set forth in this tariff, or from the regulations applicable to the Company's Operator Services as set forth herein.
- 2.20.5** Access to the local exchange carrier's operators will not be blocked or otherwise intercepted. Specifically, all "0-" calls (when a caller dials zero without any following digits or actions) will be directed to the local exchange carrier operators. In equal access areas, "0+" intraLata calls will not be intercepted or blocked. In non-equal access areas, "0-" calls will not be blocked or intercepted; however, "0+" calls may be intercepted.
- 2.20.6** Any Aggregator found to be in violation of subsections 2.20.2, 2.20.3, 2.20.4 or 2.20.5 above, shall be subject to immediate termination of service after 20 days written notice to the Aggregator by the Company.

2.21 Other Rules

The Company may temporarily suspend service without notice to the Customer by blocking traffic to certain cities or NXX exchanges or by blocking calls using certain personal account codes when the Company deems it necessary to take such action to prevent unlawful use of its service. The Company will restore service as soon as service can be provided without undue risk.

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Executive Director

SECTION 3 - DESCRIPTION OF SERVICE

3.1 General

The Company offers direct dialed (1+) and 800 services over switched and dedicated facilities, operator services, travel card and debit card services to its Customers under the terms of this tariff. Rates for these services vary by product.

3.2 Timing of Calls

- 3.2.1** For direct dialed and operator station calls, chargeable time begins when the connection is established between the calling station and the desired telephone, attendant board, or private branch exchange console. Answer detection is based on standard industry answer detection methods, including hardware and software answer detection. For person-to-person calls chargeable time begins when the designated party comes on the line, or when the caller agrees to speak with a substitute party.
- 3.2.2** Chargeable time ends when the connection is terminated.
- 3.2.3** The initial and additional timing periods for billing purposes are specified on a per-product basis below in this tariff.
- 3.2.4** There is no billing applied for incomplete calls.

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SECTION 3 - DESCRIPTION OF SERVICE, CONT.**3.3 Rate Periods and Holidays**

For time-of-day sensitive services, the following rate periods apply:

	MON	TUES	WED	THUR	FRI	SAT	SUN
8:00 AM TO 5:00 PM*	DAYTIME RATE PERIOD						
5:00 PM TO 11:00 PM*	EVENING/HOLIDAY/WEEKEND RATE PERIOD						
11:00 PM TO 8:00 AM*	NIGHT RATE PERIOD						

	MON	TUES	WED	THUR	FRI	SAT	SUN
7:00 AM TO 7:00 PM*	PEAK RATE PERIOD						
7:00 PM TO 7:00 AM*	OFF-PEAK RATE PERIOD						

* to, but not including

Calls are billed based on the rate in effect for the actual time period(s) during which the call occurs. Calls that cross rate period boundaries are billed the rates in effect in that boundary for each portion of the call, based on the time of day at the Customer location

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SECTION 3 - DESCRIPTION OF SERVICE, CONT.

3.3 Rate Periods and Holidays, cont.

For services subject to holiday discounts, the evening rate period rates apply on the following Company recognized holidays, unless a lower rate would normally apply:

New Year's Day	January 1
Memorial Day	As Federally Observed
Independence Day	July 4
Thanksgiving Day	As Federally Observed
Christmas Day	December 25

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SECTION 3 - DESCRIPTION OF SERVICE, CONT.**3.4 Calculation of Distance**

For services which are distance sensitive, usage charges are based on the airline distance between the serving wire center locations associated with the originating and terminating points of the call.

The distance between the originating and terminating points is calculated by using the "V" and "H" coordinates of the serving wire centers as defined by BellCore (Bell Communications Research), in the following manner:

- Step 1: Obtain the "V" and "H" coordinates for the serving wire center of the Customer's switch and the destination point.
- Step 2: Obtain the difference between the "V" coordinates of each of the serving wire centers. Obtain the difference between the "H" coordinates.
- Step 3: Square the differences obtained in Step 2.
- Step 4: Add the squares of the "V" difference and "H" difference obtained in Step 3.
- Step 5: Divide the sum of the square obtained in Step 4 by ten (10). Round to the next higher whole number if any fraction results from the division.
- Step 6: Obtain the square root of the whole number obtained in Step 5. Round to the next higher whole number if any fraction is obtained. This is the distance between the originating and terminating serving wire centers of the call.

Formula:

$$\sqrt{\frac{(V_1 - V_2)^2 + (H_1 - H_2)^2}{10}}$$

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SECTION 3 - DESCRIPTION OF SERVICE, CONT.

3.5 Operator Services

Operator Services as provided by the Company includes live operator and/or automated operator functions, for the purpose of assisting in the processing of telephone services such as: long distance via collect calls, calling card calls, person to person calls, and third party billed calls. In addition to the per minute usage rates, applicable per call service charges and operator assisted charges are billed for the completed phone call.

The Company operator will identify to the Authorized User the identity of the Company at least once during every call before any charges are incurred and will provide information regarding the Company's rates for said call upon request by the caller. The Company will not accept calling cards for billing purposes if the Company is unable to validate the card.

3.6 Standard Business Service

Standard Business Service is available to business customers for outbound calling between any two intrastate locations within Kentucky. Calls are billed in six (6) second increments after a minimum call duration of eighteen (18) seconds. Rates are not time-of-day sensitive or mileage sensitive.

Rates are based on the Customer's estimated monthly billing. Should the Customer not meet the monthly estimated usage for an extended period of time, the Company and the Customer will determine whether Customer has subscribed to the plan most suitable to their calling pattern. In any case, the Customer will not be billed the minimum usage should the estimated monthly billing not be met.

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SECTION 3 - DESCRIPTION OF SERVICE, CONT.

3.7 Standard Residential Service

Standard Residential Service is available to residential customers for calling between any two intrastate locations within Kentucky. Calls are billed in one (1) minute increments after a minimum call duration of one (1) minute. Rates are not mileage sensitive.

Rates are based on the Customer's estimated monthly billing. Should the Customer not meet the monthly estimated usage for an extended period of time, the Company and the Customer will determine whether Customer has subscribed to the plan most suitable to their calling pattern. In any case, the Customer will not be billed the minimum usage should the estimated monthly billing not be met.

A term agreement of one year is available to Customers. Should a Customer agree to stay on the Standard Residential Service program for one year, the monthly service charge will be waived.

3.8 Dedicated Service

Dedicated Service is designed for business customers for outbound calling. Calls are billed in six (6) second increments with a minimum call duration of eighteen (18) seconds. Rates are based on the Customer's estimated monthly billing. Should the Customer not meet the monthly estimated usage for an extended period of time, the Company and the Customer will determine whether this is Customer has subscribed to the plan most suitable to their calling pattern. In any case, the Customer will not be billed the minimum usage should the estimated monthly billing not be met. No minimum commitment is required. Calls originate from Customer-provided dedicated access lines and are neither time of day nor mileage sensitive.

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SECTION 3 - DESCRIPTION OF SERVICE, CONT.**3.9 Switched 800 Service**

Switched 800 Service is available to Customer for incoming calls. Switched 800 Service is provided in two options: Business and Residential. Calls originate from any Mainland U.S. location over an 800 number and terminate to a Customer-provided business or residential switched access line. Call charges are billed to the Customer rather than to the originating caller. Calls are billed in one (1) minute increments with a minimum billing period of one (1) minute. Calls are neither time of day nor mileage sensitive.

Rates are based on the Customer's estimated monthly billing. Should the Customer not meet the monthly estimated usage for an extended period of time, the Company and the Customer will determine whether Customer has subscribed to the plan most suitable to their calling pattern. In any case, the Customer will not be billed the minimum usage should the estimated monthly billing not be met. A monthly service charge applies per 800 number.

3.10 Dedicated 800 Service

Dedicated 800 Service is available to residential and business Customers for incoming calls. Calls originate from any Mainland U.S. location over an 800 number and terminate to a Customer-provided business or residential dedicated access line. Call charges are billed to the Customer rather than to the originating caller. Calls are billed in one (1) minute increments with a minimum billing period of one (1) minute. Calls are neither time of day nor mileage sensitive. No minimum commitment is required.

Rates are based on the Customer's estimated monthly billing. Should the Customer not meet the monthly estimated usage for an extended period of time, the Company and the Customer will determine whether Customer has subscribed to the plan most suitable to their calling pattern. In any case, the Customer will not be billed the minimum usage should the estimated monthly billing not be met. A monthly service charge applies per 800 number.

3.11 Travel Card Service

The Company's Travel Card Service is a special travel feature whereby a Company customer may access the network by dialing an 800 number, followed by the terminating telephone number and personal identification number. The minimum call duration for billing purposes is one (1) minute. Additional usage is measured and rounded to the next full minute increments for billing purposes. The service includes a maximum per call surcharge of \$0.50

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SECTION 3 - DESCRIPTION OF SERVICE, CONT.**3.12 Debit Card Service****3.12.1 Debit Card Service I**

Debit Card Service I is a debit card service available to Customers for placing calls while away from home or office. Debit card accounts maintain a balance that is depleted on a real-time basis as calls are placed. Calls are originated by dialing the 800 access number printed on the card followed by an account identification number and personal identification number. Calls may originate from standard residential, business or pay telephone access lines. The minimum call duration for billing purposes is one (1) unit. One (1) unit equals one (1) intrastate minute. Additional usage is measured and rounded to the next full unit increments for billing purposes. All calls must be charged against a Company debit card that has sufficient Available Usage Balance.

A Customer's call will be interrupted with an announcement when the balance is about to be depleted. Such announcement will occur one (1) unit before the balance will be depleted, based on the terminating location of the call. The Customer will be requested to recharge the Company debit card number in order to continue the call. The Company will terminate calls in progress if the balance on the Company debit card is insufficient to continue the call and the Customer fails to recharge the card number.

Payment for the Company debit card and any available usage in a customer's debit account is non-refundable.

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SECTION 3 - DESCRIPTION OF SERVICE, CONT.**3.12 Debit Card Service, (cont.)****3.12.1 Debit Card Service I, (cont.)**

The Company can exclude: 700 number calls, 800 number calls, 900 number calls. The Company does exclude: air to ground service, calls requiring the quotation of time and charges, and high seas service.

Debit Card Service I cards are available in various unit and dollar denominations. The debit card is non-refundable and will expire on the date specified on the card or package in which the card is enclosed. Unlike a deposit or advance payment, the debit card account balance is not held against future payment, as all service is available for immediate consumption. The per unit rate is inclusive of all federal excise taxes. Discounts apply to initial orders only. FCC imposed or authorized charge(s) or surcharge(s) on payphone calls will be debited from the Company debit card in addition to per unit charges.

3.12.2 Debit Card Service II

Debit Card Service II is a debit card service available to organizations or commercial entities (Sponsors) for distribution to their members or patrons. The marketing vehicle and expiration period is selected by the Sponsor upon joint agreement between the Company and the Sponsor. The Sponsor is responsible for name, service mark or other image on the card. The Company reserves the right to approve or reject any image on the card and to specify the Customer information, language and use of the Company's trade mark, trade name, service mark or other image on the card. The Sponsor may distribute the Company's debit card accounts at reduced rates or free of charge to end users for promotional purposes. At the option of the Sponsor, these cards may not be rechargeable.

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SECTION 3 - DESCRIPTION OF SERVICE, CONT.**3.12 Debit Card Service, (cont.)****3.12.2 Debit Card Service II , (cont.)**

Calls are originated by dialing the 800 access number printed on the card, followed by an account identification number and personal identification number. Calls may originate from standard residential, business or pay telephone access lines and may terminate to any interstate or intrastate location. The minimum call duration for billing purposes is one (1) unit. One (1) unit equals one (1) intrastate minute. Additional usage is measured and rounded to the next full unit increments for billing purposes. This service is available twenty-four (24) hours a day, seven (7) days per week. The number of available cards is subject to technical limitations. Cards will be offered to Customers on a first come, first served basis.

All calls must be charged against a Company debit card that has sufficient available balance. The Company will terminate calls in progress if the balance on the Company debit card is insufficient to continue the call and the Customer fails to recharge the card number. Payment for the Company debit card and any Available Usage Balance in a Customer's debit account is non-refundable.

The Company can exclude: 700 numbers calls, 800 numbers calls, and 900 numbers calls. The Company does exclude: air to ground service, calls requiring the quotation of time and charges, and high seas service.

Debit Card Service II cards are available in various unit and dollar denominations. The debit card is non-refundable and will expire on the date specified on the card or package in which the card is enclosed. Any unused balances may be applied toward any replenishment amount. Unlike a deposit or advance payment, the debit card account balance is not held against future payment, as all service is available for immediate consumption. The per unit rate is inclusive of all applicable federal excise taxes. FCC imposed or authorized charge(s) or surcharge(s) on payphone calls will be debited from the Company debit card in addition to per unit charges.

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SECTION 3 - DESCRIPTION OF SERVICE, CONT.**3.13 Directory Assistance**

Directory Assistance is available to Customers for all non-debit card services listed above. Directory Assistance charges applies to each call to the Directory Assistance Bureau. Up to two requests may be made on each call to Directory Assistance. The Directory Assistance charge applies to each call regardless of whether the Directory Assistance Bureau is able to furnish the requested telephone number.

3.14 Thrifty 250 Package

This package is available to residential customers who subscribe to the Company's local service. This package includes 250 long distance minutes for a flat-rate that is applied every month.

(N)
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(N)

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SECTION 4 - RATES

4.1 General

Each Customer is charged individually for each call placed through the Company. Charges are computed on an airline mileage basis as described in Section 3.4 of this tariff. Duration of each call is measured as described in Section 3.2 and 3.3.

Switched services rates may vary by product, call type, mileage, time of day and day of week. Usage charges apply to all calls and are based on the duration of the call. Operator service charges apply on a per-call basis based on the type of call made.

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SECTION 4 - RATES, CONT.

4.3 Operator Service Rates

4.3.1 Intrastate Operator Services Rates

(D)

(D)

4.3.2 Operator Handling and Billing Charges

	<u>BellSouth Exchanges</u>	<u>Kentucky Alltel Exchanges</u>	
Calling Card	\$2.50	\$1.00	(I)(N)
Collect	\$2.50	\$1.00	(N)
Person-to-Person	\$2.50	\$1.00	(R)(N)
Third Party Billed	\$2.50	\$1.00	(N)
Sent-Paid	\$2.50	\$1.00	(N)

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SECTION 4 - RATES, CONT.**4.4 Standard Business Rates***

<u>Monthly Estimated Billing</u>	<u>Rate Per Minute</u>
Less than \$250.00	\$0.115
\$ 250.01- 500.00	\$0.109
\$ 500.01- 750.00	\$0.105
\$ 750.01-1000.00	\$0.099
\$1000.01-1500.00	\$0.095
\$1500.01-1750.00	\$0.089
\$1750.01-2000.00	\$0.085
\$2000.01-2250.00	\$0.079
\$2250.01-2500.00	\$0.075
\$2500.01-2750.00	\$0.069
\$2750.01-3000.00	\$0.065
Greater than \$3000.01	\$0.059

(R)

4.5 Standard Residential Rates*

<u>Monthly Estimated Billing</u>	<u>Rate Per Minute</u>
Less than \$10.00	\$0.129
\$10.01 - \$15.00	\$0.125
\$15.01 - \$20.00	\$0.119
\$20.01 - \$25.00	\$0.109
\$25.01 - \$30.00	\$0.105
Greater than \$30.00	\$0.099

(R)

* Discounts may be available if the customer also subscribes to the Company's local service. See K.P.S.C. Tariff No. 1 – Section 5 for details.

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(N)
|
(N)

SECTION 4 - RATES, CONT.**4.6 Dedicated Service Rates**

<u>Monthly Estimated Billing</u>	<u>Rate Per Minute</u>
Less than \$2000.00	\$0.069
2000.01-2500.00	\$0.065
2500.01-3000.00	\$0.059
3000.01-3500.00	\$0.055
3500.01-4000.00	\$0.049
Greater than \$4000.00	\$0.045

4.7 Switched 800 Service Rates**4.7.1 Business Option**

<u>Monthly Estimated Billing</u>	<u>Rate Per Minute</u>
Less than \$250.00	\$0.115
\$ 250.01- 500.00	\$0.109
\$ 500.01- 750.00	\$0.105
\$ 750.01-1000.00	\$0.099
\$1000.01-1500.00	\$0.095
\$1500.01-1750.00	\$0.089
\$1750.01-2000.00	\$0.085
\$2000.01-2250.00	\$0.079
\$2250.01-2500.00	\$0.075
\$2500.01-2750.00	\$0.069
\$2750.01-3000.00	\$0.065
Greater than \$3000.01	\$0.059

Maximum Monthly Service Charge: \$4.95 Per 800 Number

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SECTION 4 - RATES, CONT.

4.7 Switched 800 Service Rates, cont.

4.7.2 Residential Rates

<u>Monthly Estimated Billing</u>	<u>Rate Per Minute</u>
Less than \$10.00	\$0.129
\$10.01 - \$15.00	\$0.125
\$15.01 - \$20.00	\$0.119
\$20.01 - \$25.00	\$0.109
\$25.01 - \$30.00	\$0.105
Greater than \$30.00	\$0.099

(R)

(R)

Maximum Monthly Service Charge:

With Personal Identification Number: \$ 5.95
Without Personal Identification Number: \$20.00

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Issued By:

John P. Cinelli, President
Cinergy Communications Company
1419 West Lloyd Expressway
Evansville, IN 47710

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SECTION 4 - RATES, CONT.**4.8 Dedicated 800 Service Rates**

<u>Monthly Estimated Billing</u>	<u>Rate Per Minute</u>	(R)
Less than \$2000.00	\$0.069	
2000.01-2500.00	\$0.065	
2500.01-3000.00	\$0.059	
3000.01-3500.00	\$0.055	
3500.01-4000.00	\$0.049	
Greater than \$4000.00	\$0.045	
Maximum Monthly Service Charge:	\$4.95 per 800 number	(R)

4.9 Travel Card Service Rates

<u>Monthly Estimated Billing</u>	<u>Rate Per Minute</u>	
Less than \$50.00	\$0.20	
\$50.00 - \$100.00	\$0.19	
Greater than \$100.00	\$0.18	
Per call surcharge:	\$0.50	(I)

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SECTION 4 - RATES, CONT.**4.10 Debit Card Service Rates****4.10.1 Debit Card Service I**

<u>Number of Cards Ordered</u>	<u>Per Unit Charge</u>
0 - 5	\$0.155
6 - 25	\$0.149
26 - 50	\$0.145
51 - 100	\$0.139
101 - 150	\$0.135
151 - 200	\$0.129
201 - 250	\$0.125
251 - 300	\$0.119
More than 300	\$0.115

Maximum Per Call Surcharge: \$0.50

4.10.2 Debit Card Service II

<u>Number of Minutes Ordered</u>	<u>Per Unit Charge</u>
Less than 25,000	\$0.165
25,000 - 50,000	\$0.159
50,001 - 100,000	\$0.155
100,001 - 200,000	\$0.149
200,001 - 300,000	\$0.145
300,001 - 400,000	\$0.139
400,001 - 500,000	\$0.135
500,001 - 600,000	\$0.129
600,001 - 700,000	\$0.125
700,001 - 800,000	\$0.119
Greater than 800,000	\$0.115

Maximum Per Call Surcharge: \$0.50

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SECTION 4 - RATES, CONT.

4.10 Directory Assistance

Per Call	<u>BellSouth Exchanges</u>	<u>Alltel Exchanges</u>
Local Directory Assistance Charge:	\$1.25	\$0.60
National Directory Assistance Charge:	\$1.25	\$0.95
Directory Assistance Call Completion:	\$0.45	\$0.30

(N)
|
(N)

4.12 Thrifty 250

Per Package	\$9.95
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